

108TH CONGRESS
1ST SESSION

H. R. 3639

To extend the Temporary Extended Unemployment Compensation Act of 2002, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2003

Mr. TIAHRT introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To extend the Temporary Extended Unemployment Compensation Act of 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “American Workers Assistance Act”.

6 (b) **REFERENCES.**—Except as otherwise expressly
7 provided, whenever in this Act an amendment is expressed
8 in terms of an amendment to a section or other provision,
9 the reference shall be considered to be made to a section
10 or other provision of the Temporary Extended Unemploy-

1 ment Compensation Act of 2002 (Public Law 107–147;
2 26 U.S.C. 3304 note).

3 **SEC. 2. EXTENSION OF THE TEMPORARY EXTENDED UNEM-**
4 **PLOYMENT COMPENSATION ACT OF 2002.**

5 (a) SIX-MONTH EXTENSION OF PROGRAM.—Section
6 208 is amended to read as follows:

7 **“SEC. 208. APPLICABILITY.**

8 “(a) IN GENERAL.—Subject to subsection (b), an
9 agreement entered into under this title shall apply to
10 weeks of unemployment—

11 “(1) beginning after the date on which such
12 agreement is entered into; and

13 “(2) ending before July 1, 2004.

14 “(b) TRANSITION.—In the case of an individual who
15 is receiving temporary extended unemployment compensa-
16 tion for the week which immediately precedes the first day
17 of the week that includes July 1, 2004, temporary ex-
18 tended unemployment compensation shall continue to be
19 payable to such individual for any week thereafter from
20 the account from which such individual received com-
21 pensation for the week immediately preceding that termi-
22 nation date. No compensation shall be payable by reason
23 of the preceding sentence for any week beginning after De-
24 cember 31, 2004.”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 this section shall take effect as if included in the enact-
 3 ment of the Temporary Extended Unemployment Com-
 4 pensation Act of 2002 (Public Law 107–147; 26 U.S.C.
 5 3304 note).

6 **SEC. 3. ENTITLEMENT TO ADDITIONAL WEEKS OF TEM-**
 7 **PORARY EXTENDED UNEMPLOYMENT COM-**
 8 **PENSATION.**

9 (a) WEEKS OF TEUC AMOUNTS.—Paragraph (1) of
 10 section 203(b) is amended to read as follows:

11 “(1) IN GENERAL.—The amount established in
 12 an account under subsection (a) shall be equal to 26
 13 times the individual’s weekly benefit amount for the
 14 benefit year.”.

15 (b) WEEKS OF TEUC–X AMOUNTS.—Section
 16 203(c)(1) is amended by striking “an amount equal to the
 17 amount originally established in such account (as deter-
 18 mined under subsection (b)(1))” and inserting “7 times
 19 the individual’s weekly benefit amount for the benefit
 20 year”.

21 (c) EFFECTIVE DATE.—

22 (1) IN GENERAL.—The amendments made by
 23 this section—

24 (A) shall take effect as if included in the
 25 enactment of the Temporary Extended Unem-

1 ployment Compensation Act of 2002 (Public
2 Law 107–147; 26 U.S.C. 3304 note); but

3 (B) shall apply only with respect to weeks
4 of unemployment beginning on or after the date
5 of enactment of this Act, subject to paragraph
6 (2).

7 (2) SPECIAL RULES.—In the case of an indi-
8 vidual for whom a temporary extended unemploy-
9 ment compensation account was established before
10 the date of enactment of this Act, the Temporary
11 Extended Unemployment Compensation Act of 2002
12 (as amended by this Act) shall be applied subject to
13 the following:

14 (A) Any amounts deposited in the individ-
15 ual’s temporary extended unemployment com-
16 pensation account by reason of section 203(c)
17 of such Act (commonly known as “TEUC–X
18 amounts”) before the date of enactment of this
19 Act shall be treated as amounts deposited by
20 reason of section 203(b) of such Act (commonly
21 known as “TEUC amounts”), as amended by
22 subsection (a).

23 (B) For purposes of determining whether
24 the individual is eligible for any TEUC–X

1 amounts under such Act, as amended by this
2 Act—

3 (i) any determination made under sec-
4 tion 203(c) of such Act before the applica-
5 tion of the amendments made by this Act
6 shall be disregarded; and

7 (ii) any such determination shall in-
8 stead be made by applying section 203(c)
9 of such Act, as amended by this Act—

10 (I) as of the time that all
11 amounts established in such account
12 in accordance with section 203(b) of
13 such Act (as amended by this Act,
14 and including any amounts described
15 in subparagraph (A)) are in fact ex-
16 hausted, except that

17 (II) if such individual's account
18 was both augmented by and exhausted
19 of all TEUC-X amounts before the
20 date of enactment of this Act, such
21 determination shall be made as if ex-
22 haustion (as described in section
23 203(c)(1) of such Act) had not oc-
24 curred until such date of enactment.

1 **SEC. 4. EXTENDED BENEFIT PERIODS.**

2 (a) APPLICATION OF REVISED RATE OF INSURED
3 UNEMPLOYMENT.—Section 207 is amended—

4 (1) by striking “In” and inserting “(a) IN GEN-
5 ERAL.—In”; and

6 (2) by adding at the end the following:

7 “(b) INSURED UNEMPLOYMENT RATE.—For pur-
8 poses of carrying out section 203(c) with respect to weeks
9 of unemployment beginning on or after the date of enact-
10 ment of this subsection, the term ‘rate of insured unem-
11 ployment’, as used in section 203(d) of the Federal-State
12 Extended Unemployment Compensation Act of 1970 (26
13 U.S.C. 3304 note), has the meaning given such term
14 under section 203(e)(1) of such Act, except that individ-
15 uals exhausting their right to regular compensation during
16 the most recent 3 calendar months for which data are
17 available before the close of the period for which such rate
18 is being determined shall be taken into account as if they
19 were individuals filing claims for regular compensation for
20 each week during the period for which such rate is being
21 determined, and section 203(d)(1)(A) of such Act shall be
22 applied by substituting ‘either (or both)’ for ‘each’.”.

23 (b) ADDITIONAL EXTENDED BENEFIT PERIOD TRIG-
24 GER.—

25 (1) IN GENERAL.—Section 203(c) is amended
26 by adding at the end the following:

1 “(3) ADDITIONAL EXTENDED BENEFIT PERIOD
2 TRIGGER.—

3 “(A) IN GENERAL.—Effective with respect
4 to compensation for weeks of unemployment be-
5 ginning on or after the date of enactment of
6 this paragraph, an agreement under this title
7 shall provide that, in addition to any other ex-
8 tended benefit period trigger, for purposes of
9 beginning or ending any extended benefit period
10 under this section—

11 “(i) there is a State ‘on’ indicator for
12 a week if—

13 “(I) the average rate of total un-
14 employment in such State (seasonally
15 adjusted) for the period consisting of
16 the most recent 3 months for which
17 data for all States are published be-
18 fore the close of such week equals or
19 exceeds 6 percent; and

20 “(II) the average rate of total
21 unemployment in such State (season-
22 ally adjusted) for the 3-month period
23 referred to in subclause (I) equals or
24 exceeds 110 percent of such average
25 rate for the corresponding 3-month

1 period ending in either (or both) of
 2 the preceding 2 calendar years; and

3 “(ii) there is a State ‘off’ indicator for
 4 a week if either the requirements of sub-
 5 clause (I) or (II) of clause (i) are not satis-
 6 fied.

7 “(B) NO EFFECT ON OTHER DETERMINA-
 8 TIONS.—Notwithstanding the provisions of any
 9 agreement described in subparagraph (A), any
 10 week for which there would otherwise be a
 11 State ‘on’ indicator shall continue to be such a
 12 week and shall not be determined to be a week
 13 for which there is a State ‘off’ indicator.

14 “(C) DETERMINATIONS MADE BY THE
 15 SECRETARY.—For purposes of this subsection,
 16 determinations of the rate of total unemploy-
 17 ment in any State for any period (and of any
 18 seasonal adjustment) shall be made by the Sec-
 19 retary.”.

20 (2) CONFORMING AMENDMENT.—Section
 21 203(c)(1) is amended by inserting “or (3)” after
 22 “paragraph (2)”.

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